

# MSHDA ENVIRONMENTAL REVIEW REQUIREMENTS FOR 2005

## Table of Contents

I	Introduction and Site Selection Criteria	Page	2
II	Special Instructions:	Page	2
	Tax Credit and Pass-Through Applications		
	Risk Sharing and Fast Track Proposals		
III	New for 2004	Page	3
IV	MSHDA Phase I Environmental Site Assessment	Page	3
V	MSHDA Phase II Environmental Review Requirements	Page	9
VI	NEPA Review	Page	10
VII	Selecting an Environmental Consultant	Page	10
VIII	MSHDA Environmental Questionnaire and Disclosure Statement	Page	12
IX	MSHDA PHASE I Summary Cover Sheet	Page	19
X	MSHDA Letter of Reliance	Page	21
XI	Tax Credit and Pass-Through Environmental Check List	Page	22

## SECTION I. INTROUCTION AND MSHDA SITE SELECTION CRITERIA

The Michigan State Housing Development Authority (MSHDA) requires site-specific environmental screening for all development proposals being considered for financing. The Phase I Environmental Site Assessment is an intake requirement that must be submitted before any proposal can be formally accepted for MSHDA mortgage loan processing. The MSHDA Phase I ESA is designed to satisfy the Underwriting requirements of the Authority and requires numerous elements beyond those routinely required by ASTM.

This document explains in detail the Authority's environmental review requirements and is written for the Environmental Consultant who will be performing the environmental site assessment. Review this document carefully before agreeing to conduct the Phase I Site Assessment. Environmental Site Assessments that do not satisfy the Authority's environmental review requirements or are incomplete will be returned to the sponsor and may delay formal processing of the loan application. **Questions concerning the Authority's environmental review requirements should be directed to Bruce Jeffries, Environmental Review Officer, MSHDA, 735 East Michigan Avenue, Lansing, MI. 48912, phone: 517.335.0183, fax: 517.335.6565, e-mail: jeffriesb@michigan.gov.**

Proposed development sites should exhibit no obvious negative environmental influences, which cannot be cost-effectively corrected or acceptably mitigated. Negative environmental impacts include, but are not limited to: excessive noise or physical hazards from railroad, vehicular, or air traffic; high tension power lines or high pressure gas transmission pipelines, sanitary landfills or auto salvage yards; sewage treatment plants; stored hazardous materials on or near sites; buried or spilled hazardous wastes; operating oil wells; mine shafts; gravel pits; wetlands; orchards; and prime agricultural soils classification.

The Authority will not approve developments requiring construction in the 100-year flood plain unless all necessary governmental permits are obtained and all buildings, parking areas, and pedestrian and vehicular ingress and egress areas are elevated at least one foot above the 100-year flood plain elevation when the development is completed. Developments receiving either Risk Sharing Insurance and/or any Federal funding source (Home, CDBG, etc.) will be required to satisfy HUD's "Eight Step" procedure if any construction is proposed in the 100-year flood plain or in a wetland area. This process is costly and requires significant time to complete.

## SECTION II. SPECIAL INSTRUCTIONS

### Tax Credit and Pass-Through Applications

Tax Credit and Pass-Through applications must have all elements of the MSHDA Environmental Review Requirements completed when the application is submitted for review. Environmental Site Assessments that do not satisfy the Authority's environmental review requirements or are incomplete will result in a rejection of the application. **Recognized Environmental Concerns (REC's) must be adequately resolved by the Environmental Consultant and all associated cost for remedial activities must be accurately documented in the Environmental Site Assessment.** Abatement cost for Asbestos, Lead and/or UST remediation must be included with the sponsor's tax credit or pass-through application. Bids must be from certified contractors and must accurately document the proposed remediation cost.

## Fast Track and Risk Sharing Applications

Authority financed multifamily developments that elect to participate in HUD's Risk Sharing program or use Home funding require that the Authority satisfy the environmental review requirements established under NEPA **prior to Initial Loan Closing**. This process includes obtaining the approval of the State Historic Preservation Office (SHPO) and involves a published notification and public comment period. Barring objections, this process routinely requires two to three months to complete. Development proposals that involve construction in environmentally sensitive areas such as wetlands, floodplains or near adverse impact impacts such as railroads, freeways will require additional review time beyond the seventy-five day NEPA period and may require design responsive mitigation measures. Sponsors utilizing the Fast Track process will need to plan accordingly. Delays in supplying complete Phase I information with your intake package will increase the amount of time necessary to complete the NEPA review and could ultimately delay Initial Closing.

## SECTION III. NEW OR REVISED FOR 2005

1. Documentation of passive radon mitigation measures is required for residential developments in Branch, Calhoun, Cass, Hillsdale, Jackson, Kalamazoo, Lenawee, St. Joseph, and Washtenaw Counties.
2. The Seller's Disclosure Statement, and Summary Check List have been modified.
3. Residential Soil Volatilization to Indoor Air Inhalation Criteria for Trichloroethylene. A copy is available on our web site.

## SECTION IV. PHASE I ENVIRONMENTAL SITE ASSESSMENT

The review must be conducted in a manner consistent with the meaning of the phrase "all appropriate inquiry into previous ownership and use of the property consistent with good commercial or customary practices" [42 USC 9601 (35)(b)]. This document explains in detail the Authority's environmental review requirements and is written for the Environmental Consultant who is performing the environmental review. Not every property will warrant the same degree of investigation, and the level of environmental review will be guided by the nature of the property. The Environmental Site Assessment **must conform** to ASTM Environmental Site Assessment Standards for Commercial Real Estate Transactions, **E 1527-00**, and with additional MSHDA requirements outlined herein. Copies of the ASTM standard may be obtained by contacting ASTM, E-50 Staff Manager, 1916 Race Street, Philadelphia, PA, 19103, phone: (215) 299-5487, web: [www.astm.org/](http://www.astm.org/). Questions concerning the Authority's environmental review requirements should be directed to Bruce Jeffries, Environmental Risk Officer, MSHDA, 735 East Michigan Avenue, Lansing, MI. 48912, phone: 517.335.0183, fax: 517.335.6565, e-mail: [jeffriesb@michigan.gov](mailto:jeffriesb@michigan.gov).

**A. Federal and State Environmental Database Review.** Listed sites identified within the search radius for each of the databases listed below must be geo-coded to a scaled map showing the location of the listed facilities to the subject site.

- NPL sites: Identify/list sites within 1-mile radius

- CERCLIS sites: Identify/list sites within ½-mile radius
- RCRA TSD: Identify/list sites within ½-mile radius
- RCRA Generator list: Property and adjoining properties
- ERNS Reports: Property and adjoining properties
- Solid waste/Landfill sites: Identify/list sites within ½-mile radius
- Act 307 sites: Identify/list sites within 1-mile radius
- LUST sites: Identify/list sites within ½-mile radius
- Registered UST sites: Property and adjoining properties

**B. Local Environmental Database Review. The Environmental Site Assessment will document local environmental records for the subject property and adjoining parcels. This review will minimally include:**

- City Fire Marshall Department records
- City or County Public Health Department records

**C. Prior Land Use History. Document current and past uses of the property from the present back to the property's obvious first use or to 1940, whichever is earlier. Any significant gaps in the use history of the site should be clearly identified in the report. All sites require a historical review of available fire insurance maps (Sanborn, etc.) sufficient to assure the least potential risk from environmental contamination. The Phase I ESA must include true copies of available fire insurance maps. If historical fire insurance maps are not available on intervals sufficient to satisfy ASTM requirements, a review of local street directories for the subject property and adjoining parcels must be included.**

Sanborn Map searches and street directories are deemed to be "reasonably obtainable" and may be ordered from:

- Environmental FirstSearch Inc., 9615 East 59<sup>TH</sup> Street, Suite 201, Indianapolis, Indiana 46216, phone: 1371-543-0010, fax: 1-317-543-1344, web: [www.efirstsearch.com/](http://www.efirstsearch.com/)
- ENVIRONMENTAL RESOURCE DATA INC., 3530 Post Road, Southport, CT 06490, phone: 1-800-352-0050, fax: 1-800-231-6802, web: [www.edrnet.com/](http://www.edrnet.com/).

**The location of the proposed development site boundaries must be noted on the photos and the Sanborn fire insurance maps.** Unmarked maps will be returned for additional clarification, and may delay the processing of the application. If map coverage does not exist for the subject site, please provide a copy of Sanborn's "**NO COVERAGE**" certificate.

**D. Site Visit. The assessment must include the following:**

**1. General Site Setting:**

- Review of past and present land use of **subject site and neighboring properties**, noting any operations using hazardous substances.
- Identification of major potable water supplies within ½-mile.
- **A copy of current USGS 7.5 min. Topographic Map is required.**
- Empty and occupied user spaces, recreational facilities, parking lots, roads and surface water.
- Photographs of site interior, exterior and adjoining properties **Air photos must be marked to show the approximate site boundary.**
- Strong, pungent or noxious odors, metallic or plastic storage drums (usually 55-gallon), whether or not leaking. Containers identified as containing hazardous substances are to be noted on the site map.
- Electrical generators, transformers and equipment that may contain PCBs. If transformers are present, please identify their age and owner.

## 2. **Interior observations:**

- Type of business currently or previously conducted at the facility (commercial, multifamily housing, industrial, etc.).
- Operations that utilize, generate, or dispose of hazardous substances.
- Approximate quantities of hazardous substances used and hazardous wastes generated from site operations.
- Stained flooring, drains or walls caused by substances other than water.
- Above ground storage tanks (and below ground if inside building).
- Location of floor drains, sumps etc. should be noted in the report and depicted on the site plan.

## 3. **Exterior observations:**

- Hazardous substance storage areas on subject property and adjacent parcels.
- Areas of obviously stained soil, leachate break-outs from waste disposal facilities or stressed vegetation (from sources other than lack of water).
- Electrical generators, transformers, power transmission lines, and equipment that may contain PCBs. If transformers are present, please identify their age and owner.
- Extensive filling or grading suggesting trash or other waste disposal.
- Water discharge into ditch or stream on or adjacent to property.

## 4. **Observations for structures undergoing demolition and/or rehabilitation:**

- **Friable and non-friable Asbestos Containing Materials (ACM's).** If Asbestos Containing Materials are present, and the structure is to be renovated, the extent and cost for abatement (removal / encapsulation) from a certified contractor must be supplied. Tax Credit and Pass-Through projects need to include a copy of the proposed abatement plans and abatement bids with their application.
- **Lead-Based Paint.** If the structure was constructed before Jan 1, 1979 and it is to be renovated/remodeled, the extent and cost for abatement of the Lead-Based paint (removal/encapsulation) by an licensed contractor must be included. Tax Credit and Pass-Through projects need to include a copy of the proposed

abatement plans and costs with their application or a letter from the project architect stating that the proposed abatement plans comply with Part 35 requirements.

- **Formaldehyde Insulation.** If formaldehyde insulation is observed, and the structure is to be renovated, the extent and cost for abatement of the insulation (removal / encapsulation) must be supplied included. Tax Credit and Pass-Through projects need to include a copy of the proposed abatement plan and costs with their application.

#### **5. 100 Year Flood Plain and Wetland Observations:**

- **Geological, hydro-geological, and hydrological data for the property including the 100-year flood plain and flood way elevation as determined by FEMA. You must include a copy of the FEMA Flood Hazard map including the Community Panel Number in your report; screen shots from the FEMA web site or third party products are not acceptable. The site boundaries on the FEMA map must be noted.** All buildings, parking areas, and pedestrian and vehicular ingress and egress areas must be elevated at least one foot above the 100-year flood plain elevation when the development is completed. For additional information on 100-year flood plain, please contact the Flood Plain Management Unit, Geological and Land Management Division, 525 West Allegan Street, South Tower, First Floor, Lansing, MI 48933, phone: 517.241.1515. **For Tax Credit and Pass-Through applications, the 100-year flood plain boundary and its relation to the building footprint must be clearly located on the proposed development site plan.**
- **Wetlands** present on the proposed development site must be accurately noted on the site plan. The Phase I ESA must address the presence of any wetlands on the subject site. For wetland areas hydraulically connected to other wetland resources or for wetland areas larger than 3 acres, the sponsor will need to provide a jurisdictional delineation or a **Level 2 or Level 3** Wetland Assessment review from DNR. For more information contact: Land and Water Management Division, Inland Lakes and Wetlands Unit, P.O. Box 30458, Lansing, MI 48909-7958, Wendy Veltman, phone; 517.241.8485. **For Tax Credit and Pass-Through applications, any wetlands and their relation to the building footprint must be clearly located on the proposed development site plan.**

#### **6. Manmade Hazards:**

- **Underground Storage Tanks (UST's).** Abandoned UST's will require closure. Historical tank locations lacking closure documentation will require verification

sampling. For a list of qualified UST consultants please contact the Waste and Hazardous Materials Division, Storage Tank Unit, PO Box 30241, Lansing, MI 48909, phone: 517.335.2690.

- **Aboveground Storage Tanks (AST's).** Sites containing or adjoining to above ground storage tanks must be evaluated according to procedures set forth in HUD's guidebook entitled 'Siting of HUD-Assisted Projects Near Hazardous Facilities.' The proposed development site plans must reflect any required setbacks identified through the hazard analysis. **For Tax Credit and Pass-Through applications, any applicable setback and its relation to site buildings must be clearly located on the proposed development site plan.**
- **EMF.** Sites impacted by high power transmission lines (60 kV and higher) will require a set back sufficient to archive a 2 mG exposure limit. The EMF setback requirement is for transmission lines only. Contact the Authority for site-specific instructions for determining acceptable setback distances. **For Tax Credit and Pass-Through applications, any applicable setback and its relation to site buildings must be clearly indicated on the proposed development site plan.**
- **High Pressure Buried Gas Lines.** Sites located within 1000 feet of a buried high-pressure gas transmission line (4" diameter or larger and 400 psi. or higher) must comply with the MSHDA's setback requirements. The location, and capacity of any high-pressure utility systems located on or near the proposed development site must be noted in your report and located on the site map. Contact the Authority for site-specific instructions for determining acceptable setback distances. **For Tax Credit and Pass-Through applications, any applicable setback and its relation to site buildings must be located on the proposed development site plan.**
- **Noise Analysis.** For development sites located within 400 feet of a limited access highway, or near a busy roadway, or within 1000 feet of a railroad line will require a noise assessment. Your noise assessment **must** follow HUD's worksheets as detailed in their publication entitled; "The Noise Guidebook", and included in your report. Sites with rail lines within 100 feet of proposed building structures will have to complete the Federal Transit Administration (FTA) Vibration Impact Analysis and satisfy any applicable isolation requirements. Sites requiring noise mitigation barriers (sound walls or vibration barriers) must provide a sound analysis of the isolation barrier as outlined in HUD's noise manual. **For Tax Credit and Pass-Through applications, any applicable setback and its relation to site buildings must be located on the proposed development site plan.**

E. **Site Map Requirements.** The Phase I ESA **must include** a site map, to scale, noting features previously outlined. The site map must also identify adjoining property uses and

proximity to adjoining structures. Location and size of gas and electric transmission utilities, wetlands, and flood plain boundary's must be noted. An air photo may be used as a base map for the site plan, however the plotted scale should not exceed 1": 100' and be of sufficient resolution to distinguish site features. **Tax Credit and Pass-Through projects need to include a copy of the proposed development site plan with their application.**

**F. Radon Gas Mitigation (Branch, Calhoun, Cass, Hillsdale, Jackson, Kalamazoo, Lenawee, St. Joseph, and Washtenaw counties only).** Developments located in these counties will require the installation of a passive radon mitigation barrier. See information on Radon Resistant Construction Standards at [http://www.michigan.gov/deq/0,1607,7-135-3310\\_4104\\_4196---,00.html](http://www.michigan.gov/deq/0,1607,7-135-3310_4104_4196---,00.html). For further information please contact Ms. Sue Hendershott, Indoor Radon Specialist, Hazardous Waste and Radiological Protection Section, Waste and Hazardous Materials Division, Department of Environmental Quality, 815 Terminal Road, Lansing, MI 48906, ph: 1.800.723.6642. **Tax Credit and Pass-Through projects must include a copy of development blue prints showing the radon mitigation measures consistent with the radon resistant code requirements as specified in Appendix F of the Michigan Residential Code Act.**

**G. MSHDA Sellers Environmental Questionnaire and Disclosure Statement** (copy attached, page 12). This document is to be completed by the property owner, reviewed by the Environmental Consultant performing the Phase I ESA, and included in their Phase I report.

**H. Phase I ESA Evaluation and Report**

**1. Professional opinion of the environmental consultant** assessing risks related to the proposed development site plus a recommendation as to the need for any additional or detailed investigation to identify any potential contamination, related liabilities and projected clean-up. The consultant **MUST STATE** one of the following in the report:

- "We have performed an Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E1527-00 of [insert address or legal description] the property. Any exceptions to or deletions from this practice are described in Section [ ] of this report. This assessment has revealed no evidence of recognized environmental conditions in connection with the property."
- (Or)
- "We have performed an Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E1527-00 of [insert address or legal description] the property. Any exceptions to or deletions from this practice are described in Section [ ] of this report. This assessment has revealed no evidence

of recognized environmental conditions in connection with the property except for the following: (list exceptions)."

**2. Documentation.** The report of findings for the Environmental Site Assessment should in general follow the ASTM recommended report format. The report **will include all documentation** to support the analyses, opinions and conclusions of the environmental consultant. All sources, including those that reveal no findings, should be well documented, and included in the report. The Phase I ESA and the consultants' Letter of Reliance must be current at the time of submission. **A Phase I ESA and/or Letter of Reliance more than 6 months old will not be accepted.** For further information see Sec 4.6 and Sec 4.7 ASTM, E-1527-00.

**3. The "Letter of Reliance and Phase I Summary Cover Sheet"** must be completed and signed by the environmental consultant performing the Environmental Site Assessment and submitted with their Phase I report. The Letter of Reliance and Phase I Summary Cover Sheet **must be in the format** supplied in this document. Any changes, limitations to or deviations to the supplied forms will result in delays or rejection of the proposal.

## SECTION V. PHASE II ENVIRONMENTAL REVIEW REQUIREMENTS

Recognized Environmental Conditions (REC's), including historical uses that represent the potential for "facility" status as defined under Part 201, NREPA, require additional investigation. Concerns that are inadequately investigated, that present a clear ongoing health hazard to residents of the proposed development, and/or present an unacceptable degree of lender or owner liability, may be the basis for termination of processing of the proposal. Any proposed remediation must comply with applicable federal, and state environmental standards and Authority requirements. Cost associated with environmental remediation, including compliance monitoring must be supported by actual bids and itemized in the development's trade payment breakdown.

REC's identified in the Phase I ESA must be adequately resolved so that the Environmental Consultant can opine whether **"the data provides sufficient information to support a professional opinion that there is no reasonable basis for suspecting the disposal or release of hazardous substances or petroleum products at the site with respect to the recognized environmental conditions assessed, and that no further assessment is necessary or that with respect to the recognized environmental conditions assessed, hazardous substances or petroleum products have been released or disposed at the property (ASTM E-1903)."**

The use of **HREC** (Historically Recognized Environmental Concerns) designation is limited to historical impacts that have been previously remediated **and** for which closure documentation from a regulatory agency exist. If a HREC exists on site, please include a copy the closure documentation with your report. HREC's lacking appropriate closure documentation will be treated as an REC and will need to be resolved accordingly.

Data quality objectives for Phase II sampling plans; sample location, quantity, and analytical procedures chosen must be consistent with the identified REC's, applicable exposure pathways, and generic residential land use category. The sampling design must be sufficient in scope to define the nature and extent of impact and characterize all applicable and relevant pathways. Sampling plans that lack sufficient rigor to provide reliable results will be considered to be incomplete and returned to the environmental consultant for additional sampling. Sampling plans will include, trip blanks, soil bore logs, laboratory QA/QC reports, and Chain of Custody documents. At the sponsors request, MSHDA will pre-review a proposed scope of service for proposed Phase II sampling.

***Sites with "facility" status must obtain a MDEQ approved BEA and 7a Due Care determination for unrestricted residential use prior to initial closing. Tax Credit and Pass-Through proposals must include a copy of the BEA, Due Care Plan, and MDEQ's Determination letter with their application.***

## **SECTION VI. NEPA REVIEW**

MSHDA is required to conduct a NEPA review for all proposals using Home dollars or receiving Risk Sharing insurance. This review emphasizes preservation of the natural and historical features and highlights issues that may require design review by other regulatory agencies such as Michigan Department of Environmental Quality, and State Historic Preservation Office. This review includes all of the following areas, (and in certain circumstances may required detailed studies):

- Historic Preservation
- Floodplain Management
- Wetlands
- Coastal Areas
- Endangered Species
- Prime Agricultural Land
- Noise Assessment
- Wild and Scenic Rivers

## **SECTION VII. SELECTING AN ENVIRONMENTAL CONSULTANT**

Environmental Site Assessments require the use of professional consulting firms specializing in identifying and analyzing environmental conditions. It is important to select a consultant who can perform an acceptable environmental assessment as outlined in this document and who has **experience** working with the Authority. Several factors, which should be considered in selecting an environmental consultant, include the following:

- (1) The consultant should have sufficient personnel with the necessary technical capabilities to perform an Environmental Site Assessment in a timely fashion (approximately six to eight weeks).
- (2) The developer should screen résumés of key individuals in the consulting firm and ask for a list of recently completed work to verify the firm's reputation, adherence to budget, compliance with schedules and deadlines, etc.

If you are developing urban renewal property, your consultant should have demonstrable experience working with urban renewal sites. Ask to review examples of residential redevelopment sites comparable

to your intended development. Identify and interview the project manager(s) responsible for overseeing your project, not only the corporate staff. Review the credentials and work experience of your project manager. **Your consultant should be insured and carry pollution coverage!**

If you suspect that your site may contain abandoned UST's be sure your consultant has the appropriate experience and credentials for closing a UST's. For a list of UST consultants please contact the Environmental Response Division, Waste and Hazardous Materials Division, Storage Tank Unit, PO Box 30241, Lansing, MI 48909, phone: 517.335.2690.

No reputable environmental consultant will unequivocally certify a site to be environmentally clean. However, your consultant is expected to provide a professional opinion regarding the probability of contamination being present at a site. At that time, risk levels may be assessed and accepted or a determination made to proceed with a Phase II Environmental Site Assessment.

**SECTION VIII.****REVISED SELLER'S ENVIRONMENTAL QUESTIONNAIRE AND DISCLOSURE  
STATEMENT**

The Authority requires the completion of its' "Sellers Environmental Questionnaire and Disclosure Statement" to fulfill Sec. 9 requirements of the ASTM Standard. **The checklist is to be completed and signed by the property owner, and returned to the environmental consultant conducting the Phase I. This questionnaire is to be reviewed by the environmental consultant and included in the Phase I report. Failure to properly complete this process will result in a rejection of the Phase I ESA.**

In preparing this document, the **property owner** must make a good faith effort to answer the questions in the checklist. The preparer presents that to the best of his/her knowledge the above statements and facts are true and correct and that to the best of the preparer's knowledge no material facts have been omitted or misstated. Time and care should be taken to check whatever records are in the owner's possession. If any of the following questions are answered in the affirmative or if answers are unknown, are qualified or cannot be obtained, the burden is on the environmental consultant to determine whether further inquiry is appropriate. The property owner should document the reason for any affirmative answer to provide the consultant with all appropriate information. Moreover, the environmental consultant must determine if further inquiry in any area where the property owner provides incomplete information is warranted, providing written explanation for their recommendation(s).

If the proposed development site is being purchased from the City of Detroit or Highland Park, the environmental consultant is required to complete the form on their behalf provided they have, at a minimum, reviewed all Fire Marshall records and Building Permits for all previous on-site retail, commercial, or industrial uses consistent with the development history of the site.

**Purchaser:** \_\_\_\_\_

**Purchaser's Telephone No.:** \_\_\_\_\_

**Owner's Name:** \_\_\_\_\_

**Owner's Telephone No.:** \_\_\_\_\_

**Subject Property:** \_\_\_\_\_

1. **Land use:** Is the property or adjoining property currently used for manufacturing or industrial use? Adjoining properties include those that border the immediate site and include properties across the street from the property.

\_\_\_ YES \_\_\_ NO (If "YES", please describe)

**Subject Property:** \_\_\_\_\_

**Adjoining property north:** \_\_\_\_\_

**Adjoining property south:** \_\_\_\_\_

**Adjoining property east:** \_\_\_\_\_

**Adjoining property west:** \_\_\_\_\_

2. Has the property or adjoining property been used for manufacturing or industrial purposes in the past?

\_\_\_ YES \_\_\_ NO (If "YES", please describe)

**Owner / Use / Date(s)**

**Subject Property Previous use:** \_\_\_\_\_

**Previous use (north):** \_\_\_\_\_

**Previous use (south):** \_\_\_\_\_

**Previous use (east):** \_\_\_\_\_

**Previous use (west):** \_\_\_\_\_

3. Are there any pesticides, automotive or industrial batteries, paints or other chemicals stored on the property or at the facility other than undamaged containers of consumer products under five gallons in total volume?

\_\_\_ YES \_\_\_ NO (If "YES", please describe)

4. Are there any plastic or metal industrial drums (typically 55-gallon) located on the property or at the facility?

☐ YES ☐ NO (If "YES", please describe)

5. Has fill dirt been brought onto the site that could be contaminated?

☐ YES ☐ NO (If "YES", please describe)

6. Have any construction debris, substances identified as hazardous, unidentified waste materials, tires, automotive or industrial batteries or any other waste materials been dumped above grade, buried and/or burned on the site?

☐ YES ☐ NO (If "YES", please describe)

7. Are there any pits, ponds or lagoons located on the property in connection with waste treatment or waste disposal?

☐ YES ☐ NO (If "YES", please describe)

8. Is there any soil on the property that has been obviously stained?

☐ YES ☐ NO (If "YES", please describe)

9. Are storage tanks above or underground located on the property?  
\_\_\_ YES \_\_\_ NO (If "YES", please describe)
10. Are vent pipes protruding from the ground at the property or adjacent to any structure located on the property?  
\_\_\_ YES \_\_\_ NO (If "YES", please describe)
11. Does the property discharge waste water, other than storm water, directly to a ditch or stream on or adjacent to the property?  
\_\_\_ YES \_\_\_ NO (If "YES", please describe)
12. If the property is served by a private well or non-public water system has the well or water system been designated as contaminated by a governmental environmental or health agency?  
\_\_\_ YES \_\_\_ NO (If "YES", please describe)
13. **Asbestos:** Does the property or any buildings located on the property contain any asbestos?  
\_\_\_ YES \_\_\_ NO (If "YES", please describe)

14. **Polychlorinated biphenyls (PCBs):** Have polychlorinated biphenyls been used in electrical transformers, capacitors or other equipment at the property?  
\_\_\_ YES \_\_\_ NO (If "YES", please describe)
15. Is there a transformer that is not owned by a public or private utility or group and for which there are no records indicating the absence of PCBs?  
\_\_\_ YES \_\_\_ NO (If "YES", please describe)
16. **Radon:** Has the property or any buildings located on the property been tested for radon?  
\_\_\_ YES \_\_\_ NO (If "YES", please describe)
17. **Urea-Formaldehyde:** Does the property or any buildings located on the property contain any urea-formaldehyde materials?  
\_\_\_ YES \_\_\_ NO (If "YES", please describe)
18. **Lead:** Does the property or any buildings located on the property contain any lead-based paint or lead plumbing?  
\_\_\_ YES \_\_\_ NO (If "YES", please describe)

19. **Miscellaneous:** Does the owner of the property or operator of the facility have any knowledge of environmental liens or governmental notification relating to violations of environmental laws in regards to the property or any facility located on the property?

☐ YES ☐ NO (If "YES", please describe)

20. Has the owner of the property or operator of the facility been informed of the presence of hazardous substances or environmental violations in regards to the property or the facility located on the property?

☐ YES ☐ NO (If "YES", please describe)

21. Are you aware of any environmental assessment of the property that indicated the presence of hazardous substances on the site or recommended further assessment of the property?

☐ YES ☐ NO (If "YES", please describe)

22. Are there past, current or pending lawsuits or administrative proceedings for alleged environmental damages involving the property or any owner or tenant of the property?

☐ YES ☐ NO (If "YES", please describe)

23. Does the purchase and/or sales price of this property reflect the presence of hazardous substances on the property?

\_\_\_ YES \_\_\_ NO (If "YES", please describe)

24. **Agricultural Land:** Have pesticides, herbicides or other agricultural chemicals been stored, mixed on or applied to the property?

\_\_\_ YES \_\_\_ NO (If "YES", please describe)

25. **This questionnaire was completed by the property owner (*required*):**

**Owner's/ Seller's Signature:** \_\_\_\_\_

**Owner's Printed Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City, State, Zip:** \_\_\_\_\_

**Telephone Number:** \_\_\_\_\_

**Relationship to Site:** \_\_\_\_\_

**SECTION IX. Revised MSHDA Phase I Summary Cover Sheet**

Project Name: \_\_\_\_\_

Consultants' / Firm Name: \_\_\_\_\_

Consultants' Fax No.: \_\_\_\_\_ Email: \_\_\_\_\_

Project #: \_\_\_\_\_ Report Date: \_\_\_\_\_

Answer all questions below and note the appropriate page or appendix in your report that contains the supporting documentation. **Summary Cover Sheets containing unknown, or incomplete responses will not be processed and will be returned for correction.**

**1. Report Findings**

- a. Does this site contain any Wetlands? ☐ Yes ☐ No; see report page / appendix: \_\_\_\_\_  
(if Yes, meet MSHDA requirements in Sec. IV.D.5)
- b. Is this site in the 100 year Flood Plain? ☐ Yes ☐ No; see report page / appendix: \_\_\_\_\_  
(if Yes, meet MSHDA requirements in Sec. IV.D.5)
- c. Does this site contain any UST's or AST's? ☐ Yes ☐ No; see report page / appendix: \_\_\_\_\_  
(if Yes, meet MSHDA requirements in Sec. IV.D.6)
- d. Does the Phase I ESA reveal any REC's? ☐ Yes ☐ No; see report page / appendix: \_\_\_\_\_  
(if Yes, meet MSHDA requirements in Sec. IV.D.5)
- e. Are there any regulated substances on the site that exceed MDEQ Tier 1 residential screening levels? ☐ Yes ☐ No; see report page / appendix: \_\_\_\_\_  
(if Yes, meet MSHDA requirements in Sec. V.)
- f. Is a BEA/Due Care Required? ☐ Yes ☐ No; see report page / appendix: \_\_\_\_\_  
(if Yes, meet MSHDA requirements in Sec. V)
- g. Are there any high power electrical transmission lines with in 500 feet of the subject site? ☐ Yes ☐ No; see report page / appendix: \_\_\_\_\_  
(if Yes, meet MSHDA requirements in Sec IV.D.6)
- h. Are there any buried high-pressure gas transmission lines (4" in diameter and 400 psi or greater) with in 1000 feet of the subject site? ☐ Yes ☐ No; see report page / appendix: \_\_\_\_\_  
(if Yes, meet MSHDA requirements in Sec IV.D.6)

i. Is the subject site within 400 feet of a limited access freeway or 1000 feet of a rail line?

☐ Yes ☐ No; see report page / appendix: \_\_\_\_\_  
(if Yes, meet MSHDA requirements in Sec. IV.D.6)

j. Were any Asbestos Containing Materials identified on site?

☐ Yes ☐ No; see report page / appendix: \_\_\_\_\_  
(if Yes, meet MSHDA requirements in Sec. IV.D.4)

k. Were any Lead Based Paint hazards identified on site?

☐ Yes ☐ No; see report page / appendix: \_\_\_\_\_  
(if Yes, meet MSHDA requirements in Sec. IV.D.4)

l. For developments located in Branch, Calhoun, Cass, Hillsdale, Jackson, Kalamazoo, Lenawee, St. Joseph, and Washtenaw counties are passive radon mitigation measures documented in your report?

☐ Yes ☐ No; see report page / appendix: \_\_\_\_\_  
(if Yes, meet MSHDA requirements in Sec. IV.F)

## 2. Report Documentation

a. MSHDA Letter of Reliance completed?

☐ Yes, see report page / appendix: \_\_\_\_\_  
☐ No (if No, do not submit report)

b. Sellers Disclosure Statement completed?

☐ Yes, see report page / appendix: \_\_\_\_\_  
☐ No (if No, do not submit report)

c. FEMA Flood Plain Map Included?

☐ Yes, see report page / appendix: \_\_\_\_\_  
☐ No (if No, do not submit report)

d. Sanborn Maps or N.C. Letter Included?

☐ Yes, see report page / appendix: \_\_\_\_\_  
☐ No, (if No, do not submit report)

e. Development Site Plan Included

☐ Yes, see report page / appendix: \_\_\_\_\_  
☐ No (if No, do not submit report)

I represent that this Summary Cover Sheet accurately reflects the environmental information contained in the above captioned document.

\_\_\_\_\_  
Signature of Environmental Consultant / Date

\_\_\_\_\_  
Print or Type Legal Name

**SECTION X.**

**LETTER OF RELIANCE**

(DATE)

PRIVILEGED AND CONFIDENTIAL

Bruce Jeffries, Environmental Review Officer  
Design & Technical Resources Division  
Michigan State Housing Development Authority  
735 East Michigan Avenue  
Lansing, Michigan 48912

RE: Phase I ESA for: (Insert Development Name)

Dear Mr. Jeffries:

Please find enclosed the Phase I Environmental Site Assessment for the subject property dated () to the Michigan State Housing Development Authority.

It is my understanding that the information contained in the Environmental Site Assessment will be used by the Authority in considering proposed financing of residential development of the property and, furthermore, that the Authority may rely upon the Environmental Site Assessment as if it were issued to the Authority.

I **certify** that the attached is a true, correct and complete copy of the Environmental Site Assessment and that the report represents my professional opinion of the site as of this date. I also confirm the evaluation, recommendations and conclusions contained in the Environmental Site Assessment as of this date and that the Environmental Site Assessment has been performed in conformance with the scope and limitations of **both** the ASTM Practice E1527-00, and MSHDA'S Environmental Review Requirements.

Sincerely,

(CONSULTANT)

## SECTION XI. TAX CREDIT AND PASS-THROUGH ENVIRONMENTAL CHECK LIST

Eleven questions you **need** to ask your Environmental Consultant before you submit their report.

Q 1. “Does your report satisfy current ASTM’s and MSHDA’ S requirements?”

**If “NO”, why? Your report will not be accepted.**

Q 2. “Is MSHDA’ S Environmental Questionnaire and Disclosure Statement completed and included in the report?”

**If “NO”, why? Your report will not be accepted.**

Q 3. “Did you include MSHDA’ S Letter of Reliance in your report?”

**If “NO”, why? Your report will not be accepted.**

Q 4. “Is my site in the 100-year flood plain or in a wetland?”

**If “YES”** Is a copy of MDNR Flood Plain / Wetland Permit and site plan included in your report? Proposed housing, walkways, and parking surfaces are to be one foot above the 100-year flood plain elevation and must be reflected on the site plan. **If the MDNR permit(s) and site plan are not included in your report it will not be accepted.**

Q 5. “Did you include copies of Historical Fire Insurance Maps in your report?”

**If “NO”, why?** Is it because coverage was not available from EDR/Sanborn? Are the “No Coverage” Certificates included in the Phase I report? Did you review historical street indexes for the site?

Q6. “Did you complete the MSHDA Phase I ESA Summary Cover Sheet?”

**If “NO” why? Your report will not be accepted.**

If “YES”, go to Q 7.

Q7. “Did you list any Recognized Environmental Concerns in your report?”

If “NO”, you are done.

If “YES”, go to Q 8.

Q8. “Is my site a facility?”

If “NO”, go to Q 10.

If “YES”, go to Q 9.

Q9. “Have you obtained a “BEA and 7a Due Care” determination from MDEQ?”

If “YES”, go to Q 11.

**If “NO”, without an approved BEA and 7a CA Analysis your report will not be accepted.**

Q 10. “If my site is not a facility, then why are there Recognized Environmental Concerns?”

Did your consultant list Asbestos Containing Materials or Lead-Based Paint? Go to Q 11.

Q 11. “If any remediation( ACM,LBP, etc.) is required is it detailed in your report?”

If “YES”, you are done.

**If “NO”, your report will not be accepted.**